

Message Text

PAGE 01 STATE 171333
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E.O. 11652: GDS

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SUBJECT: ARA WEEKLY HIGHLIGHTS JUNE 28 - JULY 4

1. RETURN OF AMBASSADOR TO CHILE: AMBASSADOR GEORGE W. LANDAU WAS ABLE TO RETURN TO POST OVER THE WEEKEND AFTER MUTUAL COOPERATION WAS RE-ESTABLISHED BETWEEN THE USG AND THE GOC IN THE LETELIER/MOFFITT ASSASSINATION INVESTIGATION.

2. IDB REPLENISHMENT: THE SECOND ROUND OF NEGOTIATIONS
CONFIDENTIAL

PAGE 02 STATE 171333

FOR THE FIFTH REPLENISHMENT OF THE CAPITAL AND CONCESSIONAL FUNDS OF THE INTER-AMERICAN DEVELOPMENT BANK TOOK PLACE IN WASHINGTON ON JUNE 29-30. THE FIRST ROUND HAD OCCURRED IN MADRID ON MAY 30-31, AND THE IDB STAFF WILL REPORT PROGRESS AT THE NEXT NEGOTIATING SESSION ON SEPTEMBER 5. AGREEMENT WAS REACHED ON THE PRINCIPLE THAT THE BANK CONCENTRATE CONCESSIONARY FINANCING EVEN MORE SPECIFICALLY ON THE LESS-DEVELOPED MEMBERS OF THE REGION AND DEVOTE ONE HALF OF ALL ITS LENDING TO PROJECTS WHICH UENEFIT LOW INCOME TARGET GROUPS.

THE U.S. PROPOSED TO INCREASE THE AVAILABILITY
AND EFFICIENCY OF IDB RESOURCE UTILIZATION, E.G.,

BY PROVIDING THAT ALL REPLENISHMENT CONTRIBUTIONS
BE IN CONVERTIBLE CURRENCIES OR IN NATIONAL CURRENCIES
CONVERTIBLE UPON DEMAND BY THE BANK, BY GRADUALLY
MAKING EXISTING RESERVES OF NATIONAL CURRENCIES
CONVERTIBLE, BY RESTRICTING THE AMOUNT OF CONVERTIBLE
CURRENCY USED FOR LOCAL COST FINANCING OR INDIRECT
FOREIGN EXCHANGE COSTS OF IDB PROJECTS, AND BY
REQUIRING THAT ALL IDB PROJECTS BE ASSESSED IN
TERMS OF THEIR CONTRIBUTION TO THE BORROWER'S DEVELOP-
MENT PLAN.

SOME COUNTRIES OPPOSED SPECIFIC U.S. PROPOSALS TO
REDEFINE FORMALLY CONCESSIONAL LENDING ACCESS CRITERIA.
THE WEALTHIER LATIN COUNTRIES PROTESTED PLANS
TO LIMIT THE AMOUNT OF CAPITAL LENDING TO THEM.
THE U.S. PROPOSALS FOR AN ALL-CONVERTIBLE CURRENCY
REPLENISHMENT AND FOR CONVERTING EXISTING RESERVES
OF NATIONAL CURRENCIES WERE ALSO CONTROVERSIAL.
U.S REPRESENTATIVES STRESSED THE NEED TO ACHIEVE
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PAGE 03 STATE 171333

PROGRESS IN THESE AREAS BEFORE WE CAN BEGIN DIS-
CUSSING REPLENISHMENT LEVELS. U.S. OBJECTIVES WERE
STRONGLY SUPPORTED BY CANADA, BY THE NONREGIONAL
MEMBERS (L3 EUROPEAN COUNTRIES PLUS ISRAEL AND
JAPAN) AND BY MANY LATIN MEMBERS.

3. VIII OAS GENERAL ASSEMBLY: THE GENERAL ASSEMBLY
WHICH CONCLUDED JULY 1 SAW BOTH POSITIVE AND NEGA-
TIVE DEVELOPMENTS, FROM THE U.S. POINT OF VIEW.
ON HUMAN RIGHTS, THIS GENERAL ASSEMBLY SAW THE CON-
SOLIDATION OF A SUBSTANTIAL MAJORITY OF AMERICAN
STATES IN FAVOR OF A STRONG OAS ROLE IN PROMOTING THE
OBSERVANCE OF HUMAN RIGHTS IN THE HEMISPHERE. STRONG
GENERAL RESOLUTIONS ON HUMAN RIGHTS PASSED BY VERY
LARGE MAJORITIES. EVEN RESOLUTIONS ON HUMAN RIGHTS
VIOLATIONS IN TWO SPECIFIC COUNTRIES (PARAGUAY AND
URUGUAY) MUSTERED AN IMPRESSIVE 16 FAVORABLE VOTES
AGAINST 8 ABSTENTIONS AND THE LONE "NO" OF THE
COUNTRIES INVOLVED. THUS, IN THE LAST FOUR GENERAL
ASSEMBLIES, HUMAN RIGHTS HAS MOVED FROM A ROUTINE,
UNDEBATED AGENDA ITEM TO A MAJOR CONCERN OF THE
ORGANIZATION ON WHICH A MAJORITY OF MEMBER STATES
ARE WILLING TO TAKE A FORWARD POSITION, EVEN TO THE
EXTENT OF VOTING CONDEMNATORY RESOLUTIONS AGAINST
MEMBERS OTHERWISE IN GOOD STANDING.

ON OTHER MATTERS EXPERIENCE WAS MIXED. SEVERAL FOREIGN
MINISTERS EMPHASIZED THE IMPORTANCE OF ECONOMIC

ACTIVITIES IN THE OAS, AND STATED THEIR STRONG CONCERN ABOUT RISING PROTECTIONISM. CONSENSUS FAILED ON RESOLUTIONS CONCERNING BOTH SUGAR AND TRANSNATIONAL ENTERPRISES, AND WE ENDED UP IN ISOLATED OPPOSITION. THERE WAS NEVER MUCH CHANCE OF CONSENSUS ON PROTECTIONISM, AND WE AGAIN PROVIDED SINGLE NEGATIVE VOICE TO THE LATIN'S RESOLUTION ON THIS SUBJECT. WE ABSTAINED AS USUAL ON THE BY-NOW RITUAL REQUEST
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PAGE 04 STATE 171333

THAT ECUADOR AND VENEZUELA BE MADE ELIGIBLE FOR GSP. NEVERTHELESS, THE SPIRIT OF CONFRONTATION WAS ABSENT AS THE ECONOMIC ACTORS FULLY UNDERSTOOD THEIR SUBORDINATE ROLE TO HUMAN RIGHTS DEVELOPMENTS IN OTHER SESSIONS. ON A POSITIVE NOTE, WE JOINED UNANIMOUS RESOLUTIONS TO TERMINATE, AT LAST, AN INEFFECTIVE OAS EXPORT PROMOTION INSTITUTE, AND TO CONVOKE AN OCTOBER MEETING OF EXPERTS ON GSP, ALONG WITH SEVERAL OTHERS ON LESS CONSEQUENTIAL MATTERS.

THE U.S. HAD HOPED TO GIVE THE PROBLEM OF OAS RESTRUCTURING A FRESH LOOK THROUGH THE FORMATION OF A SMALL, HIGH-LEVEL NEGOTIATING GROUP TO BE CHARGED WITH ANALYZING AND REPORTING ON THE FUNCTIONS OF THE INTER-AMERICAN SYSTEM OVER THE NEXT 25 YEARS. THIS PROPOSAL, MADE BY THE MEXICANS, MET STRENUOUS OPPOSITION FROM THE SMALLER STATES (E.G. PANAMA AND ECUADOR), WHO WERE FEARFUL OF EXCLUSION FROM THE NEGOTIATING PROCESS, AND WHO WERE CLEARLY RELUCTANT TO SEE THEIR WORK ON CHARTER REFORM OVER THE LAST FIVE YEARS THREATENED BY A NEW BODY. AS A RESULT, THE ASSEMBLY DIRECTED THE PERMANENT COUNCIL TO CREATE AN APPROPRIATE MECHANISM FOR ALL COUNTRIES TO PARTICIPATE IN RECONSIDERING THE REVISED CHARTER AND DRAFT CONVENTIONS INSTEAD OF FORMING A SMALL NEGOTIATING COMMITTEE CONTEMPLATED IN THE MEXICAN-U.S. INITIATIVE. ON THE OTHER HAND, A RESOLUTION WAS ISSUED WHICH GIVES PRIORITY ATTENTION TO THE QUESTION OF THE U.S. QUOTA AND TO FINDING A FORMULA FOR REDUCING OUR SHARE FROM 66 ; THE ISSUE OF QUOTA ALLOCATIONS WAS ALSO PLACED ON THE AGENDA OF THE SPECIAL GENERAL ASSEMBLY TO BE HELD IN THE FOURTH QUARTER OF THIS YEAR TO APPROVE THE OAS' 1979 BUDGET.
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PAGE 05 STATE 171333

". SSISTANT SECRETARY CONFIRMATION HEARING:

THE SENATE FOREIGN RELATIONS COMMITTEE HAS SCHEDULED THE CONFIRMATION HEARING FOR ARA ASSISTANT SECRETARY DESIGNATE, VIRON PETER VAKY, FOR JULY 11.

UPON HIS DEPARTURE AS AMBASSADOR TO VENEZUELA, AMBASSADOR VAKY WAS HONORED BY VENEZUELAN PRESIDENT CARLOS ANDRES PEREZ WITH THE DECORATION OF THE LIBERATOR FOR CONTRIBUTIONS TO US-VENEZUELAN RELATIONS.

5. STATE DEPARTMENT AUTHORIZATION BILL: ON JUNE 28 THE SENATE PASSED, 64-17, THE FOREIGN ASSISTANCE AUTHORIZATION BILL WITH AN ACROSS-THE-BOARD CUT OF 5 . AN AMENDMENT BY SENATOR BARTLETT EXPRESSED THE SENSE OF THE CONGRESS THAT, UNTIL SUCH TIME AS CUBA WITHDRAWS ITS MILITARY FORCES FROM AFRICA, THE U.S. SHOULD: (A) CLOSE THE U.S. INTEREST SECTION IN HAVANA; (B) DENY ANY LICENSE FOR TRADE WITH OR EXPORT TO CUBA; (C) REVERSE ANY ACTION TOWARD NORMALIZATION OF RELATIONS; AND (D) DEFER ANY OTHER OFFICIAL ACTIONS TOWARD NORMALIZATION OF RELATIONS WITH CUBA. WHILE THIS AMENDMENT MAY BE REMOVED IN CONFERENCE, SOME MEASURE WILL PROBABLY BE ADOPTED WHICH IS DIRECTED AT THE CUBAN PRESENCE IN AFRICA.

6. VISIT BY DOMINICAN OFFICIAL: DOMINICAN REPUBLIC SECRETARY OF STATE FOR FOREIGN AFFAIRS, RAMON EMILIO JIMENEZ, CALLED ON UNDER SECRETARY FOR POLITICAL AFFAIRS, DAVID NEWSOM, ON JUNE 30. MR. NEWSOM EXPRESSED CONCERN THAT THE RESULTS OF THE MAY 16 ELECTIONS HAD NOT YET BEEN OFFICIALLY ANNOUNCED. REAR ADMIRAL JIMENEZ REPLIED THAT PRESIDENT BALAGNER AND THE GOVERNMENT CONSIDERED ANTONIO GUZMAN TO BE THE PRESIDENT-ELECT, AND WERE ACTING ACCORDINGLY
CONFIDENTIAL

PAGE 06 STATE 171333

IN ANTICIPATION OF HIS AUGUST 16 INAUGURATION. JIMENEZ SAID THAT THE CENTRAL ELECTIONS BOARD WOULD PROBABLY ANNOUNCE ELECTION RESULTS SHORTLY AND THAT, IN ANY CASE, THE LEGAL CHALLENGES WHICH WERE DELAYING THE ANNOUNCEMENT WERE DIRECTED AT LOCAL AND CONGRESSIONAL CONTESTS, NOT AT THE PRESIDENTIAL ELECTION.

7. THE COMMODITY CREDIT CORPORATION OF THE U.S. DEPARTMENT OF AGRICULTURE HAS EXTENDED A \$4 MILLION LINE OF CREDIT FOR THE PURPOSE OF FINANCING THE EXPORT OF AMERICAN POTATOES TO URUGUAY. IT IS EXPECTED THAT THIS LINE OF CREDIT WILL BE USED BY

A CALIFORNIA FIRM. THE DEPARTMENT OF STATE CONCURRED IN THIS ACTION. THE SALE WAS MADE TO URUGUAYAN POTATO IMPORTERS THROUGH A SEMI-AUTONOMOUS GOVERNMENT AGENCY THAT ACTS AS A MIDDLEMAN IN URUGUAYAN EXPORT-IMPORT TRANSACTIONS. THE DEPARTMENT CONSIDERS THE EXTENSION OF THE CCC CREDITS TO HAVE BEEN A COMMERCIAL MATTER.

IT DOES NOT INDICATE ANY LESSENING OF OUR CONCERN OVER THE SERIOUS HUMAN RIGHTS SITUATION THAT STILL EXISTS IN URUGUAY.

8. THE AMERICAN CONVENTION ON HUMAN RIGHTS; A MESSY DILEMMA: IN JUNE 1977, IN AN ACT THAT DRAMATIZED THE US COMMITMENT BOTH TO HUMAN RIGHTS AND TO ITS MULTILATERAL PROMOTION, PRESIDENT CARTER SIGNED THE AMERICAN CONVENTION ON HUMAN RIGHTS. BECAUSE THE CONVENTION (ALSO KNOWN AS THE PACT OF SAN JOSE) HAD BEEN RATIFIED BY ONLY TWO COUNTRIES IN THE EIGHT YEARS SINCE IT HAD BEEN OPENED FOR SIGNATURE, THE US SIGNATURE WAS SEEM AT THE TIME
CONFIDENTIAL

PAGE 07 STATE 171333

PRIMARILY AS AN ACT OF POLITICAL SYMBOLISM.

TODAY, ONLY A YEAR LATER, THE CONVENTION HAS BEEN RATIFIED BY 10 COUNTRIES. ONE MORE RATIFICATION, LIKELY SOMETIME THIS SUMMER, WILL BRING THE CONVENTION INTO FORCE. WHEN IT DOES, THE INTER-AMERICAN HUMAN RIGHTS COMMISSION -- A KEY ELEMENT OF OUR HEMISPHERIC HUMAN RIGHTS POLICY -- WILL RECEIVE ADDED RESPONSIBILITIES.

THIS APPARENT SUCCESS OF OUR LEADERSHIP TURNS OUT TO BE A MIXED BLESSING: THE UNITED STATES WILL BE ABSENT. THE PACT WAS TRANSMITTED TO THE SENATE FOR APPROVAL LAST FEBRUARY TOGETHER WITH THREE RELATED UN HUMAN RIGHTS AGREEMENTS. WE RECOMMENDED SENATE APPROVAL SUBJECT TO TEN SPECIFIC RESERVATIONS, UNDERSTANDINGS AND DECLARATIONS DESIGNED TO ELIMINATE THE NEED FOR NEW LEGISLATION AND TO LIMIT THE POSSIBILITY OF FEDERAL-STATE CONFLICTS ARISING FROM ITS TERMS.

EVEN WITH THE RESERVATIONS, HOWEVER, THE PROSPECTS FOR POSITIVE SENATE ACTION NEXT YEAR OR ANY TIME IN THE NEAR FUTURE ARE DIM. MAJOR "NON-CONTROVERSIAL" INTERNATIONAL HUMAN RIGHTS AGREEMENTS SUCH AS THE GENOCIDE CONVENTION (SUBMITTED IN 1949) HAVE FAILED TO GAIN THE NEEDED SUPPORT OF TWO-THIRDS OF THE SENATE. AND THE AMERICAN CONVENTION IS THE

MOST CONTROVERSIAL OF SUCH AGREEMENTS SIGNED TO DATE BY THE UNITED STATES. IT IS A SWEEPING DOCUMENT THAT DETAILS A LARGE NUMBER OF HUMAN RIGHTS IN HIGHLY SPECIFIC TERMS, INCLUDING LEGAL PROTECTION TO "A RIGHT TO LIFE, GENERALLY FROM THE MOMENT OF CONCEPTION" (ANATHEMA TO ABORTION SUPPORTERS AND ADVOCATES OF THE DEATH PENALTY IN THE US SENATE). IT ALSO PROVIDES
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PAGE 08 STATE 171333

FOR THE ESTABLISHMENT OF AN INTER-AMERICAN COURT OF HUMAN RIGHTS, WHICH WOULD HAVE THE AUTHORITY TO AWARD COMPENSATION TO VICTIMS OF INJUSTICE. OUR DILEMMA ARISES FROM THE FACT THAT THE CONVENTION HAS NOW BEEN RATIFIED BY SOME COUNTRIES WHICH NOT ONLY HAVE A FAR WORSE HUMAN RIGHTS RECORD THAN THE UNITED STATES, BUT WHICH HAVE NO INTENTION OF COMPLYING WITH THE PACT'S LETTER OR SPIRIT. EVEN SO, THE CONTRADICTIONS BETWEEN OUR WORDS AND ACTIONS IN THIS CASE COULD MAKE US VULNERABLE TO CHARGES OF HYPOCRISY AND THUS WEAKEN THE VERY MOMENTUM TOWARD OUR HUMAN RIGHTS OBJECTIVES THAT PRESIDENT CARTER'S SIGNATURE OF THE CONVENTION HELPED TO STIMULATE.

WE ARE WORKING WITH COSTA RICA AND OTHERS IN THE OAS TO OVERCOME A NUMBER OF POTENTIAL PROBLEMS AFFECTING THE STATUS OF THE INTER-AMERICAN HUMAN RIGHTS COMMISSION IN NON-RATIFYING STATES ONCE THE CONVENTION COMES INTO FORCE. WE BELIEVE THE COMMISSION'S AUTHORITY AND WORK CAN BE SUSTAINED. BUT UNLESS WE ARE PREPARED TO VIEW INTERNATIONAL COVENANTS WITH UNPRECEDENTED CYNICISM, WE ARE LIKELY TO ENCOUNTER GROWING DIFFICULTIES OVER OUR FAILURE TO RATIFY THE CONVENTION. VANCE

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